IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY EIGHTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO. 17389 of 2004

Between:

K. Sanyasi S/o. Appalaswamy
O/o. General Manager, Visakhapatnam Co-Oporation Federation Ltd., Hyd.

..... PETITIONER

AND

1 The General Manager, (Finance and Accounts), A.P.Dairy

Development Corporation Federation Ltd.,
Hyderabad.
2 The General Manager, Visakahapatnam Co-Operative Dairy,
Visakhapatnam.
3 The Regional Provident Fund Commissioner, Visakhapatnam.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ, order or direction more particularly one in the nature of writ of Mandamus directing the respondents herein to pay arrears of provident fund pension and terminal benefits by declaring the inaction as illegal, arbitrary and violative of right to livelihood as guaranteed under Article 14 and 21 of the Constitution of India.

Counsel for the Petitioner:MR.V.MALLIK.

Counsel for the Respondent No.1: MR.N.RAJESWAR RAO.

Counsel for the Respondent No.2: MR.P.B.Vijaya Kumar.

The Court at the stage of admission made the following :

-

-

O R D E R:

-

The petitioner contends that he retired as a driver in the respondent-Corporation w.e.f 31-3-1996, subsequent to the retirement prorata pension was fixed and the petitioner was drawing the said amount. The grievance of the petitioner is that the arrears of Provident Fund due to him were not released in his favour. Therefore, he made a representation to the first respondent on 15-10-2000 and no orders have been passed.

The learned counsel for the first respondent represents that the third respondent is the proper authority to pass appropriate orders for the release of the Provident Fund in favour of the petitioner if any due to him. In the light of the representation made by the learned counsel for the first respondent, the petitioner is directed to made a representation to the third respondent regarding his claim for arrears of Provident Fund and on receipt of such representation, the third respondent may pass appropriate orders as per the rules, within two months from the date of receipt of a copy of this order regarding the request of the petitioner for the release of the arrears of Provident Fund due to him.

Accordingly, the Writ Petition is disposed of. No order as to costs.

_____

28th September, 2004.

Mrb

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The General Manager, (Finance and Accounts), A.P.Dairy

Development Corporation Federation Ltd.,
Hyderabad.

2 The General Manager, Visakahapatnam Co-Operative Dairy,
Visakhapatnam.

3 The Regional Provident Fund Commissioner, Visakhapatnam.

4. Two CD copies